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## BERLIN CANNOT JUSTIFY ATTACK UPON AMERICAN SHIP WM. P. FRY

Washington Note of Reply Denies German Contention That Sinking of Vessel and Destruction of Cargo Were Lawful

PAYMENT OF DAMAGES WILL NOT SQUARE RAID

Treaty of 1799 Between United States and Kingdom of Prussia Prevents Even Detention If Contraband Is Surrendered

(Associated Press by Federal Wireless.)

WASHINGTON, June 29.—That Germany has any justification whatever in sinking an American ship in order to destroy her cargo of contraband or conditional contraband is denied with emphasis in the American note of reply to Berlin relating to the case of the Wm. P. Fry. To admit justification in such a case would be to admit that the Germans have a right to torpedo and sink an American ship suspected of carrying contraband, an admission that the United States is not prepared to make under any circumstances.

Germany Asked To Reconsider

The American note, which had been delivered to Foreign Minister von Jagow on June 24, was made public here last night. It is the American reply to the contention of Berlin that the claim arising from the sinking of the Fry on the high seas by the German commerce destroyer Prinz Eitel Friedrich should be adjudicated before a German prize court.

The note asks Germany to reconsider its refusal to settle the claims for damages presented through the state department by the owners of the Fry and by Captain Kiehne, her master.

American Proposal Rejected

The German reply, received by the state department on June 10, made the claim that Germany has the right to sink any ship carrying supplies to Great Britain, provided damages are paid. The German note rejected the American proposal to waive a prize court adjudication and settle the matter directly by diplomacy.

"The United States," says the note, "is unable to find any justification for the sinking of the Wm. P. Fry. This government does not consider that the German prize courts have any jurisdiction over the question of the amount of indemnity Germany should pay, in settlement of her admitted liability for the destruction of an American vessel on the high seas."

No Authority In Treaty

This argument, the government declares, is based on the contention that, inasmuch as Germany already has admitted liability under the treaty of 1828, proceedings in prize court are superfluous and would not be binding upon the United States.

Continuing, the note says: "The treaty of 1799 between the United States and the Kingdom of Prussia did not authorize the destruction of a neutral vessel in any circumstances. In fact it prevents even the detention of a neutral vessel carrying contraband, if the master of the vessel be willing to surrender the contraband."

Germans Violated Obligations

"Now it is an admitted fact that the master of the Wm. P. Fry undertook to jettison his cargo, but was not allowed to finish the task, and his vessel was sunk. Such destruction was a violation of the obligations of Germany."

"The United States disavows with the contention of the imperial government of Germany that an American vessel carrying contraband can be destroyed without the German government incurring any liability beyond the compensation to be fixed by a German prize court."

AVIATORS BOMBARD SMYRNA

(Associated Press by Federal Wireless.) LONDON, June 28.—British aviators have bombed the Turkish city of Smyrna, causing seventy casualties at the Turkish garrison.

ADMIRAL SIR HENRY B. JACKSON, Formerly Chief of British War Staff, Now First Sea Lord In Coalition Cabinet



## ANNAPOLIS FACES ANOTHER INQUIRY

Charges That Hazing Has Been Revived At Naval Academy Under Probe

(Associated Press by Federal Wireless.)

ANNAPOLIS, June 29.—Charges that hazing became prevalent again in the United States naval academy two years ago, although the practice was supposed to have been stamped out completely ten years ago, will be the subject of a special investigation, begun yesterday by order of Rear Admiral William P. Fullam, superintendent of the academy.

The charges were brought in the course of testimony given by witnesses at the trial of seven midshipmen accused of having cheated at examinations, and the hazing inquiry will be conducted separately from the trial.

If the investigation substantiates the charges, those implicated either will be dismissed or tried by another court martial.

## JAPANESE PREMIER PROTESTS BOYCOTT

(Special to the Nippon Jiji)

TOKIO, June 28.—Premier Count Okuma last Saturday sent to Peking a communication containing a formal protest against the Chinese boycott on Japanese goods. It is understood that protest was made directly to President Yuan Shih-Kai. Count Okuma's protest was the outcome of a lengthy conference at the residence of Marquis Inouye, which was attended by Okuma and five of the Genro, or elder statesmen, at which time the premier was urged to take some action to put a stop to the boycott.

## OPEN DOOR IN CHINA MUST BE MAINTAINED

(Associated Press by Federal Wireless.)

WASHINGTON, June 28.—Japan and China have been notified in identical notes that America will not recognize any agreement impairing the principle or practice of the "open door" in Chinese trade.

## TWO MORE BRITISH VESSELS ARE SUNK

(Associated Press by Federal Wireless.)

LONDON, June 28.—The British steamship Indriani and the British bark Dumfriesshire, the latter carrying barley from San Francisco, were sunk yesterday by German submarines. There was no loss of life.

## ATLANTA RIOTING FINALLY AT END

Former Governor Slaton, Who Saved Frank From Gallows, Leaves His State

(Associated Press by Federal Wireless.)

ATLANTA, Georgia, June 29.—Former Governor Slaton, who retired from office at the expiration of his term last Saturday, departed quietly for California today, with his wife.

His successor, Governor Harris, has requested that efforts to incite violence and riotous demonstrations cease, because "the Frank case is now past history."

The guard of militia protecting the executive mansion, the public buildings and Former Governor Slaton's home was withdrawn yesterday. Twenty-six persons arrested in the disorders that followed his commutation of Frank's death sentence to life imprisonment will be prosecuted on charges of rioting.

Leo M. Frank, a young Jewish manufacturer, was convicted of the murder of Mary Phagan, a factory girl in his employ.

## FEDERAL COMMISSION SAYS THAW IS SANE

(Associated Press by Federal Wireless.)

NEW YORK, June 29.—Two federal commissioners appointed by the court to determine whether Harry Kendall Thaw might safely be granted his liberty, pending a hearing of his appeal from the verdict by which he was brought back from New Hampshire, reported yesterday that they "had examined and tested Thaw from every angle" and had found that "he is sane and rational."

## MORE MIDSHIPMEN MADE DEFENDANTS

(Associated Press by Federal Wireless.)

ANNAPOLIS, June 28.—As a result of the revelations of alleged cheating at examinations in the naval academy, seven additional midshipmen have been made defendants before the court of inquiry. The total number of accused is now twenty-three.

## GERMAN GUNNERS BRING DOWN FRENCH AIRSHIPS

(Associated Press by Federal Wireless.)

BERLIN, June 28.—Official announcement is made that German gunners on the west front have brought down two French aeroplanes flying over the German lines.

## GRAVE SITUATION AGAIN DEVELOPS AMONG MEXICANS

Carranza Rushing More Troops From Vera Cruz To Attack Zapata

PEOPLE ARE STARVING WHILE TURMOIL RAGES

Few Old Leaders Still Fighting, Most of Them Being Across Border

(Associated Press by Federal Wireless.)

WASHINGTON, June 29.—"Conditions at Mexico City are extremely critical," is the news carried to the state department in official despatches from Mexico.

"Twenty-five thousand troops owing allegiance to General Emiliano Zapata are garrisoning the city," the despatches continue. "Last Wednesday they drove off an attack supported with infantry fire delivered by the troops of General Pablo Gonzales, one of Carranza's commanders."

"Reinforcements are now being rushed up from Vera Cruz by Carranza and a new attack is expected at any moment. The city is feverishly restless and the famine daily grows worse."

Conditions Improve in West

On the West Coast, where the Yaqui Indians have made so much trouble, conditions are said to be improving, and Admiral Howard, commanding the Pacific fleet, reports from Guaymas that he is on friendly terms with all factions.

Robert Lansing, the new secretary of state, is conducting a rigorous examination into Huerta's abortive revolution, and he let it be known last night that he is determined to prosecute any violations of neutrality uncovered, irrespective of the prominence of the individuals who, it may be shown, were backing Huerta.

Many Leaders In States

Of the men who have made Mexican history in the last four years, only a handful are left in Mexico—Villa, Carranza, Zapata and Obregon. The others are almost all in the United States and the administration is keeping them under strict surveillance.

In addition to Huerta and Gen. Pascual Orozco, his fellow conspirator, the list includes: Gen. Felix Diaz, who overthrew Madero and was immediately exiled; General Blanquet, minister of war under Madero, and Huerta's ally in the palace plot that ended in Madero's murder; General Moudragon, of the same regime; and, latest comer, Gen. Felipe Angeles, late chief of staff to Villa.

## CORNELL WINNER OF VARSITY RACE

Stanford Crew Takes Second Place In Great Event of Intercollegiate Regatta

(Associated Press by Federal Wireless.)

POUGHKEEPSIE, New York, June 29.—The University of Stanford Eight made a brilliant showing in the intercollegiate regatta rowed here yesterday, taking second place in the "varsity" race, with Cornell first, Syracuse third, Columbia fourth and Pennsylvania fifth. The time was 20 minutes 36.35 seconds for the four miles. Cornell holds the intercollegiate record, the 1901 crew having covered the distance in 18:53.15.

The Stanford eight is the first "varsity" crew from the West to finish second in a Poughkeepsie regatta. Washington finished third in 1913.

Cornell also won the junior eights, yesterday, with Pennsylvania second and Columbia third, in the fast time of 10 minutes and 1.5 of a second.

In the freshman race, Syracuse finished first, Cornell second, Columbia third and Pennsylvania fourth.

During the last fifteen years, Cornell has finished first in the varsity race eleven times, has been second twice and third twice.

CZAR NICHOLAS (Right) and Grand Duke Nicholas, Generalissimo of Russian Army, At Przemyel, Retaken By Kaiser



## LIVES OF NEUTRALS WILL BE PROTECTED

Ambassador Gerard Indicates To Washington That Berlin Will Meet Demands

(Associated Press by Federal Wireless.)

WASHINGTON, June 28.—That Germany will make a reply to the latest American note concerning submarine warfare which will be favorable to the main American contentions and which will assure the safety of neutral passengers in the war zone is indicated in advices received by the state department from the United States ambassador at Berlin, James Gerard.

The exact nature of Ambassador Gerard's message has not been divulged, but it is understood that in answer to President Wilson's rejoinder note, Germany will express herself willing to safeguard the lives of neutrals traveling on vessels used primarily for the transportation of passengers.

Ambassador Gerard's observations are based on the favorable effect made on officialdom of Germany by Dr. Anton Meyer-Gerhard, who sailed from the United States a few days ago as the special emissary of the German ambassador at Washington, Count von Bernstorff. His mission was to convey to the German officials the true feeling of the American people as well as advices from Ambassador von Bernstorff.

## CRUISER TENNESSEE LANDS MORE REFUGEES

(Associated Press by Federal Wireless.)

ALEXANDRIA, Egypt, June 29.—The American cruiser Tennessee arrived here yesterday from Beirut with refugees fleeing from a possible anti-Christian uprising and massacre. The refugees numbered one hundred Americans and four hundred Italians.

## ITALIAN TROOPS ENTER TRENTINO

Four Columns Now Are Moving From Brescia and Verona Against Trient

(Associated Press by Federal Wireless.)

ROME, June 29.—An Italian flank column, operating from Brescia as its base, penetrated the Trentino yesterday through the lofty passes at Riva, north of Lake Garda.

Four Italian columns are operating from Brescia and Verona against Trient. One column marched straight north from Verona, through Ala, against the defenses at Rovereto, which it has partly reduced.

The second swung in through the Val Sugana, from a point to the northeast of Rovereto.

The third marched up both banks of the Chiese River, battered down the forts at Storo and broke through the passes yesterday at Riva.

A fourth, operating through the Tonale pass, northwest of Trient, has not been heard from in the despatches which the censors permit to be published.

The object of the Italian campaign is not only to capture Trient, for sentimental reasons, but for military reasons to bottle up the Adige Valley, through which must pass all Austrian troops sent against Italy from the Tyrol Pass. The Austrian concentration point is Bozen, forty-five miles north of Trient in the Adige Valley.

Official announcement was made that Italy has severed diplomatic relations with Turkey and will send troops to the Dardanelles.

BRITISH ACTIVE IN AFRICA

(Associated Press by Federal Wireless.)

LONDON, June 28.—A British expeditionary force sent against Germans in Africa has destroyed a fort, sunk boats and broken up a wireless station at Bukoba, Lake Victoria Nyanza.

## WAR PORTFOLIO OF RUSSIA HAS BEEN GIVEN TO MAN OF PEOPLE

Czar Reorganizes Cabinet To Bring Government Into Closer Sympathy With His Subjects, Following Galician Reverses

THEN HE TAKES FIELD TO ENCOURAGE SOLDIERS

Retirement of Slavs Has Been Orderly and New Alignment Is Expected To Change Situation—Bloody Fighting On San

(Associated Press by Federal Wireless.)

PETROGRAD, June 29.—Emperor Nicholas left today for the front in Galicia, after having accepted the resignation of his minister of war and effected a reorganization of his cabinet which it is thought will bring the government into closer sympathy with the public.

The retirement of General Zoukhomlinoff from the portfolio of war comes hard on the heels of the serious Russian reverses which began last May, due in large part to the failure of the bureaucratic machinery to keep the armies in the field supplied with sufficient rifles, artillery and ammunition. Successor Is a Liberal

He is succeeded by General Polivanoff, a soldier and statesman of liberal views, who is popular with the masses of the people. Announcement of the cabinet changes was made after a conference with the Czar, and immediately afterward he left for the front.

It is known that the Russian retirement has been conducted in good order and never has degenerated into a rout. Russian military writers expect that it may continue until the most advantageous positions have been found from which to make a stand against the Teutonic offensive. Will Defend Shorter Front

There is general belief however, that such a moment almost has arrived, and it is confidently asserted that the Russian armies, when reassembled on a shorter front, will offer an effective resistance. The departure of the Czar for the front is taken to indicate that he shares this belief.

SANGUINARY FIGHTING ON SAN

(Associated Press by Federal Wireless.)

LONDON, June 29.—Sanguinary fighting is reported along the River San, where German despatches to Berlin from field headquarters on the East front say that the Russians are making a desperate attempt to ward off the new drive on Warsaw.

Haliz fell yesterday, Berlin reports, and the main body of the Germanic armies has crossed the Dniester, driving the Russians before them.

Russian news dispatches, it is noteworthy, relate that the new German concentration against Warsaw is an independent movement, to accomplish which the Germans are withdrawing none of their troops from Galicia, where they are utilizing the full strength of their forces in an effort to make their victories conclusive.

SERBIA WILL CONTINUE

(Associated Press by Federal Wireless.)

LONDON, June 28.—The Serbian minister to Italy is quoted as saying that Serbia will decline to entertain any proposals from the Teutonic Allies of a separate peace but will continue with the Entente Powers to the end.

## ANOTHER CULEBRA SLIDE BARS PASSAGE OF SHIPS

(Associated Press by Federal Wireless.)

PANAMA, June 29.—Fresh slides in the Culebra cut have closed the canal temporarily to vessels drawing more than twenty-six feet of water. Although the present movement is not in itself thought to be particularly serious, it has symptoms which indicate that it may be the forerunner of an important earth movement.